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EXAMINER

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ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 03/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/316,908

Applicant(s)

KISONO, MASAHIRO

Examiner

Joseph R. Pokrzywa

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 May 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because of the problems discussed in the attached PTO-948. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

Art Unit: 2622

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. **Claims 1, 2, 5, 6, 8, 11, 12, 14, and 17** are rejected under 35 U.S.C. 102(e) as being anticipated by Westwick *et al.* (U.S. Patent Number 5,828,836).

Regarding **claim 1**, Westwick discloses a method of transmitting an information transfer request from a client data terminal (host processor 12), which is coupled to a local area network (LAN 16), to a called data terminal (I/O devices 18A-18N, seen in Fig. 1) which is coupled to the local area network and a public switched telephone network (PSTN 19), with the method comprising the steps of collecting information sets of communication capabilities of a plurality of different data terminals on the local area network at an arbitrary time on the client data terminal (column 4, lines 7 through 26), the different data terminals being coupled to the local area network and the public switched telephone network and including the called data terminal (see Fig. 1), storing the information sets of communication capabilities into a memory (on-line storage 24, column 4, lines 12 through 14), generating on the client data terminal facsimile image information by reference to one of the stored information sets of communication capabilities pertaining to the called data terminal (column 9, lines 1 through 67), creating on the client data terminal an information transfer request for requesting transmission of the facsimile image information to an arbitrary facsimile machine connected to the public telephone network (column 8, lines 43 through 59, and column 9, lines 1 through 10), sending the information transfer request from the client data terminal to a communications controller (controller 14A-14N, column 8, lines 50 through 59), and transmitting the information transfer request from the

Art Unit: 2622

communications controller (controller 14A-14N) to the called data terminal through the local area network upon a completion of the sending step (column 8, lines 50 through 67).

Regarding *claim 2*, Westwick discloses the method discussed above in claim 1, and further teaches that the information transfer request includes a telephone number of the arbitrary facsimile machine, the facsimile image information to be transmitted, property information of the facsimile image information, and identification information identifying the called data terminal (column 3, lines 4 through 19).

Regarding *claim 5*, Westwick discloses the method discussed above in claim 1, and further teaches that the communications controller has a default condition in which the communications controller is normally conditioned to send the information transfer request to a specific data terminal from among the different data terminals in the memory (column 5, line 33 through column 6, line 23), and can be released from the default condition and be set to a different data terminal when the client data terminal specifies another called data terminal to send the information transfer request (column 6, lines 16 through 41).

Regarding *claim 6*, Westwick discloses a client data terminal (host processor 12), which is coupled to a local area network (LAN 16), comprising a first communications device that generates facsimile image information by reference to information of communication capabilities of a called data terminal to which the first communications device requests to send such facsimile image information (column 8, lines 43 through 67, and column 9, lines 27 through 64) and then performs a standard facsimile communications operation with respect to an information transfer request for requesting a transmission of the facsimile image information to an arbitrary facsimile machine connected to a public switched telephone network (PSTN 19, seen in Fig. 1,

Art Unit: 2622

column 3, line 63 through column 4, line 26), the called data terminal being one of a plurality of different data terminals coupled to the local area network and the public switched telephone network (I/O devices 18B-18N, see Fig. 1), a memory (on-line storage 24, column 4, lines 12 through 14), and a second communications device (data director 20, column 4, lines 7 through 26, and column 9, lines 29 through 52) that performs at an arbitrary time the standard communications operation with at least one of the plurality of different data terminals to receive information sets of communication capabilities of the at least one of the plurality of different data terminals and stores such information into the memory (column 2, lines 29 through 61, column 5, line 6 through column 6, line 41, and column 10, lines 15 through 51), that performs the standard facsimile communications operation with the first communications device to send from the memory one of the information sets of communication capabilities which pertain to the called data terminal (column 9, lines 1 through 10), and that performs the standard facsimile communications operation, using the information transfer request received from the first communications device (column 8, line 50 through column 9, line 10), with the called data terminal through the local area network after completing the standard facsimile communications operation with the first communications device (column 2, line 29 through column 3, line 19), the second communications device being operatively connected to the first communications device and to the plurality of different data terminals via the local area network (see Fig. 1).

Regarding *claim 8*, Westwick discloses the terminal discussed above in claim 6, and further teaches that the information transfer request includes a telephone number of the arbitrary facsimile machine, the facsimile image information to be transmitted, property information of the

Art Unit: 2622

facsimile image information, and identification information identifying the called data terminal (column 3, lines 4 through 19).

Regarding *claim 11*, Westwick discloses the terminal discussed above in claim 6, and further teaches that the first communications device has a default condition, in which the first communications device is normally conditioned to send the information transfer request to a specific data terminal from among the different data terminals in the memory (column 5, line 33 through column 6, line 23), and can be released from the default condition and be set to a another different data terminal when the first communications device specifies another called data terminal (column 6, lines 16 through 41).

Regarding *claim 12*, Westwick discloses a client data terminal (host processor 12), which is coupled to a local area network (LAN 16), comprising a first communications means for generating facsimile image information by reference to information of communication capabilities of a called data terminal to which the first communications device requests to send such facsimile image information (column 8, lines 43 through 67, and column 9, lines 27 through 64) and then performs a standard facsimile communications operation with respect to an information transfer request for requesting a transmission of the facsimile image information to an arbitrary facsimile machine connected to a public switched telephone network (PSTN 19, seen in Fig. 1, column 3, line 63 through column 4, line 26), the called data terminal being one of a plurality of different data terminals coupled to the local area network and the public switched telephone network (I/O devices 18B-18N, see Fig. 1), a memory means (on-line storage 24, column 4, lines 12 through 14), and a second communications means (data director 20, column 4, lines 7 through 26, and column 9, lines 29 through 52) for performing at an arbitrary time the

Art Unit: 2622

standard communications operation with at least one of the plurality of different data terminals to receive information sets of communication capabilities of the at least one of the plurality of different data terminals and stores such information into the memory means (column 2, lines 29 through 61, column 5, line 6 through column 6, line 41, and column 10, lines 15 through 51), performing the standard facsimile communications operation with the first communications means to send from the memory means one of the information sets of communication capabilities which pertain to the called data terminal (column 9, lines 1 through 10), and performing the standard facsimile communications operation, using the information transfer request received from the first communications means (column 8, line 50 through column 9, line 10), with the called data terminal through the local area network after completing the standard facsimile communications operation with the first communications means (column 2, line 29 through column 3, line 19), the second communications means being operatively connected to the first communications means and to the plurality of different data terminals via the local area network (see Fig. 1).

Regarding *claim 14*, Westwick discloses the terminal discussed above in claim 12, and further teaches that the information transfer request includes a telephone number of the arbitrary facsimile machine, the facsimile image information to be transmitted, property information of the facsimile image information, and identification information identifying the called data terminal (column 3, lines 4 through 19).

Regarding *claim 17*, Westwick discloses the terminal discussed above in claim 12, and further teaches that the first communications means has a default condition, in which the first communications means is normally conditioned to send the information transfer request to a

Art Unit: 2622

specific data terminal from among the different data terminals in the memory means (column 5, line 33 through column 6, line 23), and can be released from the default condition and be set to a another different data terminal when the first communications means specifies another called data terminal (column 6, lines 16 through 41).

5. **Claims 1, 2, 6-8, and 12-14** are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (U.S. Patent Number 6,005,677).

Regarding *claim 1*, Suzuki discloses a method of transmitting an information transfer request from a client data terminal (facsimile device FA1), which is coupled to a local area network (local area networks LN1 and LNk, column 2, line 40 through column 3, line 2, and column 6, line 57 through column 7, line 13), to a called data terminal (facsimile device FAk) which is coupled to the local area network and a public switched telephone network (see Fig. 7), with the method comprising the steps of collecting information sets of communication capabilities of a plurality of different data terminals on the local area network at an arbitrary time on the client data terminal (see Fig. 3, and column 2, line 41 through column 3, line 2, and column 4, lines 31 through 45), the different data terminals being coupled to the local area network and the public switched telephone network and including the called data terminal (see Figs. 1 and 7), storing the information sets of communication capabilities into a memory (column 3, line 66 through column 4, line 13), generating on the client data terminal facsimile image information by reference to one of the stored information sets of communication capabilities pertaining to the called data terminal (steps 301-307, column 4, lines 31 through 45, and column 7, lines 23 through 53), creating on the client data terminal an information transfer request for

Art Unit: 2622

requesting transmission of the facsimile image information to an arbitrary facsimile machine connected to the public telephone network (steps 302-307, column 7, lines 24 through 43), sending the information transfer request from the client data terminal to a communications controller (step 308, column 6, line 57 through column 7, line 4, and column 7, lines 31 through 53, wherein the image information and data is transferred to facsimile device FAK seen in Fig. 7), and transmitting the information transfer request from the communications controller to the called data terminal through the local area network upon a completion of the sending step (step 308, column 7, lines 5 through 13, and column 7, lines 43 through 63).

Regarding *claim 2*, Suzuki discloses the method discussed above in claim 1, and further teaches that the information transfer request includes a telephone number of the arbitrary facsimile machine, the facsimile image information to be transmitted, property information of the facsimile image information, and identification information identifying the called data terminal (column 6, lines 57 through 66, seen in Fig. 8).

Regarding *claim 6*, Suzuki discloses a client data terminal (facsimile device FA1), which is coupled to a local area network (local area networks LN1 and LNk, column 2, line 40 through column 3, line 2, and column 6, line 57 through column 7, line 13), comprising a first communications device (network controlling apparatus 10, column 3, lines 36 through 46) that generates facsimile image information by reference to information of communication capabilities of a called data terminal to which the first communications device requests to send such facsimile image information (“no” in steps 305 and 313, leading to the process JC, seen in Figs. 9 and 10) and then performs a standard facsimile communications operation with respect to an information transfer request for requesting a transmission of the facsimile image information to

Art Unit: 2622

an arbitrary facsimile machine connected to a public switched telephone network (column 8, lines 4 through 64), the called data terminal being one of a plurality of different data terminals coupled to the local area network and the public switched telephone network (see Figs. 1 and 7), a memory (parameter memory 3, column 3, lines 11 through 22, and column 3, line 66 through column 4, line 13), and a second communications device (LAN communication controlling unit 11) that performs at an arbitrary time the standard communications operation with at least one of the plurality of different data terminals to receive information sets of communication capabilities of the at least one of the plurality of different data terminals and stores such information into the memory (steps 320 and 321, column 8, lines 44 through 52), that performs the standard facsimile communications operation with the first communications device to send from the memory one of the information sets of communication capabilities which pertain to the called data terminal (process JC, seen in Fig. 10), and that performs the standard facsimile communications operation, using the information transfer request received from the first communications device (steps 306-309, and 314-317, column 7, line 36 through column 8, line 29), with the called data terminal through the local area network after completing the standard facsimile communications operation with the first communications device (steps 306-309, and 314-317, column 7, line 36 through column 8, line 29, whereby these process steps occur at a subsequent time when a transmission is initiated to a destination telephone number now stored in the telephone number conversion table), the second communications device being operatively connected to the first communications device (see Fig. 2) and to the plurality of different data terminals via the local area network (see Figs. 1 and 7).

Regarding *claim 7*, Suzuki discloses the terminal discussed above in claim 6, and further teaches that the second communications device controls the standard facsimile communication operation with the first communications device to perform throughout a plurality of facsimile communications steps which are defined as phases A through to E in accordance with a Group 3 facsimile communications procedure (column 3, lines 36 through 42, and column 4, line 65 through column 5, line 13, and column 8, lines 31 through 64, wherein the phases A through E are inherently included in a Group 3 communication).

Regarding *claim 8*, Suzuki discloses the terminal discussed above in claim 6, and further teaches that the information transfer request includes a telephone number of the arbitrary facsimile machine, the facsimile image information to be transmitted, property information of the facsimile image information, and identification information identifying the called data terminal (column 6, lines 57 through 66, seen in Fig. 8).

Regarding *claim 12*, Suzuki discloses a client data terminal (facsimile device FA1), which is coupled to a local area network (local area networks LN1 and LNk, column 2, line 40 through column 3, line 2, and column 6, line 57 through column 7, line 13), comprising a first communications means (network controlling apparatus 10, column 3, lines 36 through 46) for generating facsimile image information by reference to information of communication capabilities of a called data terminal to which the first communications device requests to send such facsimile image information (“no” in steps 305 and 313, leading to the process JC, seen in Figs. 9 and 10) and then performs a standard facsimile communications operation with respect to an information transfer request for requesting a transmission of the facsimile image information to an arbitrary facsimile machine connected to a public switched telephone network (column 8,

Art Unit: 2622

lines 4 through 64), the called data terminal being one of a plurality of different data terminals coupled to the local area network and the public switched telephone network (see Figs. 1 and 7), a memory means (parameter memory 3, column 3, lines 11 through 22, and column 3, line 66 through column 4, line 13), and a second communications means (LAN communication controlling unit 11) for performing at an arbitrary time the standard communications operation with at least one of the plurality of different data terminals to receive information sets of communication capabilities of the at least one of the plurality of different data terminals and stores such information into the memory means (steps 320 and 321, column 8, lines 44 through 52), performing the standard facsimile communications operation with the first communications means to send from the memory means one of the information sets of communication capabilities which pertain to the called data terminal (process JC, seen in Fig. 10), and performing the standard facsimile communications operation with the first communications means to receive the information transfer request, and performing the standard facsimile communications operation, using the information transfer request received from the first communications means (steps 306-309, and 314-317, column 7, line 36 through column 8, line 29), with the called data terminal through the local area network after completing the standard facsimile communications operation with the first communications means (steps 306-309, and 314-317, column 7, line 36 through column 8, line 29, whereby these process steps occur at a subsequent time when a transmission is initiated to a destination telephone number now stored in the telephone number conversion table), the second communications means being operatively connected to the first communications means (see Fig. 2) and to the plurality of different data terminals via the local area network (see Figs. 1 and 7).

Art Unit: 2622

Regarding *claim 13*, Suzuki discloses the terminal discussed above in claim 12, and further teaches that the second communications means controls the standard facsimile communication operation with the first communications means to perform throughout a plurality of facsimile communications steps which are defined as phases A through to E in accordance with a Group 3 facsimile communications procedure (column 3, lines 36 through 42, and column 4, line 65 through column 5, line 13, and column 8, lines 31 through 64, wherein the phases A through E are inherently included in a Group 3 communication).

Regarding *claim 14*, Suzuki discloses the terminal discussed above in claim 12, and further teaches that the information transfer request includes a telephone number of the arbitrary facsimile machine, the facsimile image information to be transmitted, property information of the facsimile image information, and identification information identifying the called data terminal (column 6, lines 57 through 66, seen in Fig. 8).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 3, 4, 9, 10, 15, and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U.S. Patent Number 6,005,677) in view of Fite, Jr. *et al.* (U.S. Patent Number 5,517,324).

Regarding **claim 3**, Suzuki discloses the method discussed above in claim 2, and further teaches that the information sets of communication capabilities of the different data terminals collected in the collecting step includes information identifying at least a connection for specifying one of the registered different data terminals (column 3, line 66 through column 4, line 13, seen in Fig. 3, being the connection to the IP or e-mail address), and encoding/decoding functions (column 7, lines 40 through 53). However, Suzuki fails to teach if the information sets of communication capabilities of the different data terminals collected in the collecting step also include an image resolution, and a recording sheet size. Fite discloses a method of transmitting an information transfer request from a client data terminal (fax machine 12, seen in Fig. 1, column 4, lines 26 through 49), which is coupled to a called data terminal (fax machines 24), with the method comprising the steps of collecting information sets of communication capabilities of a plurality of different data terminals at an arbitrary time on the client data terminal (column 5, line 3 through column 6, line 11), the different data terminals being coupled to a network and including the called data terminal (see Fig. 1), generating on the client data

Art Unit: 2622

terminal facsimile image information by reference to one of the information sets of communication capabilities pertaining to the called data terminal (column 11, line 3 through column 12, line 51), and transmitting the information to the called data terminal (column 12, lines 1 through 44). Fite further teaches that the information sets of communication capabilities of the different data terminals collected in the collecting step includes information identifying at least a connection for specifying one of the registered different data terminals, an image resolution, a recording sheet size, encoding/decoding functions (column 7, line 21 through column 8, line 34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Fite's teachings in the system of Suzuki. Suzuki's system would easily be modified to include Fite's teachings, therein conforming to standards being well-known throughout the art.

Regarding *claim 4*, Suzuki discloses the method discussed above in claim 2, but fails to specifically teach of judging whether the facsimile image information to be transmitted has been encoded using an encoding function which is lower grade than the encoding/decoding functions of the stored information set, and converting the facsimile image information to be transmitted using the encoding/decoding functions registered in the memory during the storing step when a result of the judging step determines that the facsimile image information to be transmitted is lower grade. Fite discloses a method (discussed above with respect to claim 3), further teaching of the steps of judging whether the facsimile image information to be transmitted has been encoded using an encoding function which is lower grade than the encoding/decoding functions of the stored information set, and converting the facsimile image information to be transmitted using the encoding/decoding functions registered in the memory during the storing step when a

Art Unit: 2622

result of the judging step determines that the facsimile image information to be transmitted is lower grade (column 7, lines 1 through 34, column 12, lines 32 through 44, and column 13, lines 20 through 34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Fite's teachings in the system of Suzuki. Suzuki's system would easily be modified to include Fite's teachings, therein conforming to standards being well-known throughout the art.

Regarding *claim 9*, Suzuki discloses the terminal discussed above in claim 6, and further teaches that the information sets of communication capabilities of the different data terminals sent from the first communications device to the second communications device includes information identifying at least a connection for specifying one of the registered different data terminals (column 3, line 66 through column 4, line 13, seen in Fig. 3, being the connection to the IP or e-mail address), and encoding/decoding functions (column 7, lines 40 through 53). However, Suzuki fails to teach if the information sets of communication capabilities of the different data terminals also include an image resolution, and a recording sheet size. Fite discloses a client data terminal (fax machine 12, seen in Fig. 1, column 4, lines 26 through 49), comprising a first communications device that generates facsimile image information by reference to information of communication capabilities of a called data terminal (fax machines 24) to which the first communications device requests to send such facsimile image information and then performs a standard facsimile communications operation with respect to an information transfer request for requesting a transmission of the facsimile image information to an arbitrary facsimile machine connected to a public switched telephone network (column 11, lines 11 through 67), the called data terminal being one of a plurality of different data terminals coupled

Art Unit: 2622

to the public switched telephone network (see Fig. 1), and a second communications device that performs at an arbitrary time the standard communications operation with at least one of the plurality of different data terminals to receive information sets of communication capabilities of the at least one of the plurality of different data terminals (column 5, line 3 through column 6, line 11). Fite further teaches that the information sets of communication capabilities of the different data terminals includes information identifying at least a connection for specifying one of the registered different data terminals, an image resolution, a recording sheet size, encoding/decoding functions (column 7, line 21 through column 8, line 34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Fite's teachings in the system of Suzuki. Suzuki's system would easily be modified to include Fite's teachings, therein conforming to standards being well-known throughout the art.

Regarding *claim 10*, Suzuki discloses the terminal discussed above in claim 6, but fails to specifically teach if the second communications device can convert the information transfer request sent from the first communications device, using the encoding/decoding functions registered in the memory as the information of communication capabilities of the called data terminal, when an encoding function used by the first communications device for conversion of the information transfer request is lower grade than the registered encoding/decoding functions. Fite discloses a terminal (discussed above with respect to claim 9), further teaching that the second communications device can convert the information transfer request sent from the first communications device, using the encoding/decoding functions registered in the memory as the information of communication capabilities of the called data terminal, when an encoding function used by the first communications device for conversion of the information transfer

Art Unit: 2622

request is lower grade than the registered encoding/decoding functions (column 7, lines 1 through 34, column 12, lines 32 through 44, and column 13, lines 20 through 34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Fite's teachings in the system of Suzuki. Suzuki's system would easily be modified to include Fite's teachings, therein conforming to standards being well-known throughout the art.

Regarding *claim 15*, Suzuki discloses the terminal discussed above in claim 12, and further teaches that the information sets of communication capabilities of the different data terminals sent from the first communications means to the second communications means includes information identifying at least a connection for specifying one of the registered different data terminals (column 3, line 66 through column 4, line 13, seen in Fig. 3, being the connection to the IP or e-mail address), and encoding/decoding functions (column 7, lines 40 through 53). However, Suzuki fails to teach if the information sets of communication capabilities of the different data terminals also include an image resolution, and a recording sheet size. Fite discloses a client data terminal (fax machine 12, seen in Fig. 1, column 4, lines 26 through 49), comprising a first communications means that generates facsimile image information by reference to information of communication capabilities of a called data terminal (fax machines 24) to which the first communications means requests to send such facsimile image information and then performs a standard facsimile communications operation with respect to an information transfer request for requesting a transmission of the facsimile image information to an arbitrary facsimile machine connected to a public switched telephone network (column 11, lines 11 through 67), the called data terminal being one of a plurality of different data terminals coupled

Art Unit: 2622

to the public switched telephone network (see Fig. 1), and a second communications means that performs at an arbitrary time the standard communications operation with at least one of the plurality of different data terminals to receive information sets of communication capabilities of the at least one of the plurality of different data terminals (column 5, line 3 through column 6, line 11). Fite further teaches that the information sets of communication capabilities of the different data terminals includes information identifying at least a connection for specifying one of the registered different data terminals, an image resolution, a recording sheet size, encoding/decoding functions (column 7, line 21 through column 8, line 34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Fite's teachings in the system of Suzuki. Suzuki's system would easily be modified to include Fite's teachings, therein conforming to standards being well-known throughout the art.

Regarding *claim 16*, Suzuki discloses the terminal discussed above in claim 12, but fails to specifically teach if the second communications means can convert the information transfer request sent from the first communications means, using the encoding/decoding functions registered in the memory means as the information of communication capabilities of the called data terminal, when an encoding function used by the first communications means for conversion of the information transfer request is lower grade than the registered encoding/decoding functions. Fite discloses a terminal (discussed above with respect to claim 15), further teaching that the second communications means can convert the information transfer request sent from the first communications means, using the encoding/decoding functions registered in the memory as the information of communication capabilities of the called data terminal, when an encoding function used by the first communications means for conversion of the information transfer

• Art Unit: 2622

request is lower grade than the registered encoding/decoding functions (column 7, lines 1 through 34, column 12, lines 32 through 44, and column 13, lines 20 through 34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Fite's teachings in the system of Suzuki. Suzuki's system would easily be modified to include Fite's teachings, therein conforming to standards being well-known throughout the art.

Citation of Pertinent Prior Art

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Mori (U.S. Patent Number 6,384,927) discloses an Internet facsimile system having connections to a public telephone network and a LAN; and

Agraharam *et al.* (U.S. Patent Number 5,987,508) discloses a system that provides cross-service connectivity in a telecommunications network.

Art Unit: 2622

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

J.R.P.

Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrj
March 19, 2003

MADELINE NGUYEN

**MADELINE NGUYEN
PATENT EXAMINER**

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